

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 664 OF 2022

- | | |
|---------------------------|-----------------|
| 1. Saurabh Balaji Salunke | |
| 2. Shivam Balaji Salunke | ... Petitioners |

Versus

- | | |
|---|-----------------|
| 1. The State of Maharashtra
Through its Secretary,
Tribal Development Department, Mumbai. | |
| 2. The Scheduled Tribe Caste Certificate Scrutiny Committee,
Through its Member Secretary, Aurangabad. | |
| 3. The Registrar,
Punya Shlok, Ahilyadevi Holkar Solapur
University Solapur. | |
| 4. The Principal,
Walchand Institute of Technology,
Solapur. | ... Respondents |

...

Advocate for Petitioner : Mr. Bayas Anandsingh
Addl.GP for Respondent No.1 and 2/State : Mr. P. S. Patil
Advocate for Respondent No.3 : Mr. S. S. Deshmukh

...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**
DATE : 10 AUGUST 2023.

PER COURT :

Heard both the sides.

1. The petitioners are challenging the orders passed by the Scrutiny Committee, invalidating their claim as belonging to Thakar scheduled tribe.

2. It transpires that the impugned order was a common order in respect of the proposal of the present two petitioners and one Sumit Bhaurao Salunke. Since they happen to be from the same blood line from the paternal side, the Committee had considered the common evidence and passed the common order.

3. This Court in Writ Petition No.133/2022 by the order dated 06.01.2022 in the matter of Sumit Bhaurao Salunke, has already undertaken scrutiny of the selfsame order and directed a certificate of validity to be issued to him. If the same order has already undergone a scrutiny of this Court in the parallel matter, we cannot take a different view and subscribe to the view taken by the earlier bench.

4. For the selfsame reasons, the writ petition is partly allowed. The impugned order is quashed and set aside.

5. The Committee shall immediately issue a tribe validity certificates to both the petitioners as belonging to 'Thakar' scheduled tribe strictly in form 'G', which shall be subject to the decision to be taken by the Committee in the matters which it intends to reopen in respect of the validity holders.

6. The petitioners shall not be entitled to claim equities.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]